

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
CHARLOTTESVILLE DIVISION

DONALD SCOTT and
MELISSA SCOTT,

Plaintiffs,

v.

GMAC MORTGAGE, LLC

Defendant.

CIVIL ACTION NO. 3:10-CV-24

ORDER

JUDGE NORMAN K. MOON

This matter is before the court upon consideration of Defendant's objections (docket no. 143) to the magistrate judge's order and recommendations. (docket no. 111). For the reasons set forth in the accompanying memorandum opinion, it is hereby ORDERED as follows:

- (1) The recommendation to enter a default judgment against Defendant on all issues of liability related to Plaintiff's fraud claim is adopted;
- (2) Paragraphs (1)-(3) of the magistrate judge's order are modified to apply only to non-duplicative information contained in Pilot, which was produced after March 18, 2011;
- (3) The award of attorneys' fees and costs is affirmed;

It is further ORDERED that:

- (1) Plaintiff is awarded all attorney's fees and costs associated with this appeal. Plaintiffs are to file a statement of fees and costs within 20 days hereof, and defendant shall have 15 days thereafter to respond.

(2) The issue of attorney fees is referred to United States Magistrate Judge B. Waugh Crigler,
pursuant to 28 U.S.C. § 636(b).

The Clerk of the Court is directed to send a certified copy of this order to all counsel of record.

Entered this 13th day of April, 2011.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE